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Attorneys for Petitioners  
Ameriprise Financial, Inc.,  
Ameriprise Financial Services, Inc., and  
American Enterprise Investment Services, Inc.

SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF SANTA CLARA

UNLIMITED

AMERIPRISE FINANCIAL, INC., a  
Delaware Corporation;  
AMERIPRISE FINANCIAL SERVICES,  
INC., a Delaware Corporation; and  
AMERICAN ENTERPRISE INVESTMENT  
SERVICES, INC., a Delaware Corporation,

Petitioners,

v.

XIMPLEWARE CORP., A CALIFORNIA  
CORPORATION,

Respondent.

CASE NO. 113CV256454

**[PROPOSED]  
ORDER GRANTING EX PARTE  
APPLICATION FOR ORDER  
COMPELLING RESPONDENT  
XIMPLEWARE'S ATTENDANCE AT  
DEPOSITION AND PRODUCTION OF  
DOCUMENTS, OR, IN THE  
ALTERNATIVE, FOR ORDER  
SHORTENING TIME IN WHICH TO  
HEAR PETITION TO ENFORCE  
DEPOSITION SUBPOENA**

Date: November 22, 2013  
Time: 8:15 a.m.  
Dept.: TBD

FILED

2013 NOV 22 A 11:24

David H. Yarnash, Clerk of the Superior Court  
County of Santa Clara, California

By:

Deputy Clerk

F. Tong-Miller

Having considered the ex parte application of Petitioners Ameriprise Financial, Inc., Ameriprise Financial Services, Inc., and American Enterprise Investment Services, Inc. (collectively "Ameriprise") for Order Compelling Respondent XimpleWare's Attendance at Deposition and Production Of Documents, or, in the Alternative, for Order Shortening Time in Which to Hear Petition to Enforce Deposition Subpoena, and finding good cause exists for such Petition,

IT IS HEREBY ORDERED that the application is GRANTED.

IT IS FURTHER ORDERED THAT: *ameriprise's motion for order requiring* XimpleWare's designated representative ~~shall~~ <sup>to</sup> appear for a deposition on December 6, 2013 at 9:00 a.m. at Dorsey and Whitney LLP's Palo Alto office located at 305 Lytton Avenue, Palo Alto, CA 94301, and there testify concerning the topics set forth in Ameriprise's Subpoena for Personal Appearance and Production of Documents, Electronically Stored Information, and Things in Action Pending Outside California dated October 2, 2013 (the "Subpoena"). *shall be heard at 9<sup>00</sup> on 2 December 2013 in Dept. 19 be ready*

2. XimpleWare shall produce documents responsive to the Ameriprise Subpoena by December 2, 2013. *at noon*

Dated: 22 November 2013

*[Signature]*  
SUPERIOR COURT JUDGE

SOCRATES P. MANOUKIAN

*all parties may file additional papers by noon on Wednesday 11/27/2013.*

*Email/fax service okay.*

*courtesy copies to Dept 19 are appreciated*

*email to smanoukian@scscourt.org*